

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JUSTIN EDMISTEN,

Plaintiff,

v.

WILLIAM L. GITTERE, *et al.*,

Defendants.

Case No. 3:22-CV-00158-CLB

**ORDER TO CHANGE ADDRESS,
DENYING MOTION FOR SUMMARY
JUDGMENT WITH LEAVE TO REFILE,
AND STAYING ACTION**

On May 9, 2024, Defendants filed their motion for summary judgment, (ECF No. 44). Pursuant to the Court's electronic filing system, the motion was delivered to Plaintiff Justin Edmisten ("Edmisten") at his listed mailing address at High Desert State Prison ("HDSP"). The Court also entered a minute order regarding the requirements of *Klinge* *le v. Eikenberry* and *Rand v. Rowland* as to the motion for summary judgment to Edmisten at HDSP. (ECF No. 45.) HDSP returned both the motion for summary judgment and the Court's minute order as "undeliverable," stating that Edmisten is "not at HDSP." (ECF Nos. 46, 47.) According to the Nevada Department of Corrections Inmate Database, Edmisten is currently housed at the Northern Nevada Correctional Center. However, Edmisten has not filed a change of address with the Court. Pursuant to Local Rule IA 3-1, Edmisten must immediately file with the Court written notification of any change of mailing address. Failure to comply with this rule may result in dismissal of this action.

Accordingly, **IT IS THEREFORE ORDERED** that Edmisten shall file his notice of change of address with the Court by **July 8, 2024**, and failure to do so may result in this action being dismissed without prejudice.

IT IS FURTHER ORDERED that this action is **STAYED** pending Edmisten's compliance with this order.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment, (ECF No. 44), is **DENIED with leave to refile**. The Court will set a briefing schedule after

1 Edmisten files his change of address.

2 **IT IS FURTHER ORDERED** that the Clerk of Court shall **SEND** this order to
3 Edmisten at **Northern Nevada Correctional Center**.

4 **DATED:** June 6, 2024.

5 
6 **UNITED STATES MAGISTRATE JUDGE**